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POSTAL RATE COMMISSION
OFFICE OF THE PRESIDENT

PRESIDING OFFICER'S
RULING NO. MC2002-1/2

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Classification and Fees
for Confirm

Docket No. MC2002-1

PRESIDING OFFICER'S RULING
GRANTING MOTIONS

(Issued June 11, 2002)

This Ruling disposes of two recent motions filed by the Postal Service requesting procedural relief. On June 7, 2002, the Postal Service moved to suspend the requirement that it respond to certain interrogatories posed by the Office of the Consumer Advocate (OCA) pending settlement negotiations.¹ In support, the Postal Service states that responses are unnecessary since settlement of this proceeding appears likely. Motion to Suspend at 1. Should settlement not be achieved, the Postal Service undertakes to file timely responses to OCA/USPS-2-8. *Ibid.* Further, the Postal Service indicates that the OCA supports the motion. *Ibid.*

The Postal Service's motion is contingent on the outcome of settlement negotiations. Given the apparent likelihood of settlement, requiring the Postal Service to respond would not advance this record. If settlement negotiations fail, however, the Postal Service commits to filing timely responses to OCA/USPS-2-8. The motion is reasonable and, therefore, is granted as conditioned below.

P.O. Ruling MC2002-1/1 adopted the expedited procedural schedule proposed by the Postal Service, except for the proposed special rules. See P.O. Ruling MC2002-1/1 at 2-4. In light of that schedule, the Postal Service's obligation to respond to

¹ Motion of the United States Postal Service to Temporarily Suspend the Requirement to Respond to Office of the Consumer Advocate Interrogatories OCA/USPS-2-8 in Light of Settlement, June 7, 2002 (Motion to Suspend).

OCA/USPS-2-8 is suspended through June 21, 2002. If settlement has not been achieved by that date, the Postal Service should submit its responses to OCA/USPS-2-8 by no later than June 25, 2002, unless by no later than June 21, 2002, it requests a further suspension of its obligation to respond. If the latter option is elected, the Postal Service should also propose revisions to the current procedural schedule.

In the second motion, the Postal Service requests acceptance out-of-time of a late-filed response to OCA/USPS-1.² The late filing was occasioned by counsel's unavailability.

The motion is granted. No participant has been prejudiced by the late filing.

RULING

1. The Motion of the United States Postal Service to Temporarily Suspend the Requirement to Respond to Office of the Consumer Advocate Interrogatories OCA/USPS-2-8 in Light of Settlement, filed June 7, 2002, is granted as set forth in the body of this Ruling.
2. The Motion for Late Acceptance of Response of United States Postal Service to Interrogatory of Office of the Consumer Advocate, filed May 29, 2002, is granted.


George Omas
Presiding Officer

² Motion for Late Acceptance of Response of United States Postal Service to Interrogatory of Office of the Consumer Advocate, May 29, 2002.